



Division of Vocational Rehabilitation • P.O. Box 7852 • Madison, WI 53707-7852
800-442-3477 • 888-877-5939 (TTY) • 608-266-1133 (FAX)
dwddvr@dwd.state.wi.us • <http://dwd.wisconsin.gov/dvr>

Important Information For DVR Applicants And Others

The Division of Vocational Rehabilitation (DVR) works in partnership with individuals with disabilities to help them obtain, maintain, and improve employment opportunities. DVR is Wisconsin's primary provider of employment and rehabilitation services to people with disabilities.

- **Eligibility for DVR Services:** People with physical or mental disabilities who cannot get or keep jobs without help may be eligible for services. *If you apply for services, it is very important that you bring any records you have about your disability to your first appointment.* People who receive Social Security Disability Benefits (SSI and/or SSDI) are automatically eligible for DVR.
- **DVR's Limited Resources May Affect Vocational Rehabilitation Services:** Limited resources prevent DVR from helping everyone who wants service and could benefit. DVR serves people with the most severe disabilities first.
- **Privacy of Personal Information:** All personal information is kept confidential, except for specific reasons that a counselor can explain.
- **You Have a Choice:** Eligible consumers have the right to make informed choices about goals, needs, and services. You and a counselor will develop an employment plan. You must participate actively to complete your plan.
- **What Does it Cost?:** DVR doesn't charge for counseling, guidance, evaluation, or job placement services. Other community resources may meet some needs. Depending on your ability to pay, you may be responsible for certain costs. Your counselor will discuss any costs with you before services begin.
- **Do You Need Help With DVR?:** If you have questions, you can ask a DVR staff person. If you still have questions, contact the *Client Assistance Program (CAP)* at 800-362-1290 (Voice/TTY). CAP staff members are not part of DVR but can explain rights/responsibilities and DVR policies/procedures.
- **Non-Discrimination/Equal Opportunity:** DVR does not discriminate when providing services. DWD is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format, or need it translated to another language, please contact 800-442-3477 or 888-877-5939 (TTY).
- **Advocacy/Legislation:** The Wisconsin Rehabilitation Council (WRC) works on behalf of Wisconsin residents with disabilities by reviewing, analyzing, and advising DVR regarding its performance in providing services to people with disabilities. WRC also takes suggestions about how DVR policy can be changed to better serve the needs of people with disabilities. If you have comments or questions for them, please call 800-442-3477 (Voice) or 888-877-5939 (TTY).
- **Appeal Rights:** DVR decisions may be appealed if you disagree. Information is available through staff or through the Client Assistance Program. You will receive further information about your appeal rights throughout the DVR process.

Employment Services for People With Disabilities

What Is DVR?

The Wisconsin Division of Vocational Rehabilitation (DVR) is a federal/state program designed to assist individuals with disabilities to obtain, maintain, or improve employment. We are Wisconsin's primary provider of employment services to people with disabilities.

Who Can Receive DVR Services?

You may be able to receive vocational rehabilitation services from DVR if you have a physical or mental impairment that makes it difficult for you to get or keep a job. DVR is for people with disabilities who need services to prepare for work, or find and keep a job.

To learn how your disability interferes with employment, your counselor may request and review your medical and/or educational records. DVR may pay for the purchase of the records or any medical, psychological, or vocational evaluations needed.

To ensure a good job or career match, you and your counselor will work together to assess your interests and skills.

DVR would like to work with all individuals who have a disability. However, we do not have enough staff or funds to do so. Therefore, DVR uses a process (Order of Selection) that allows persons with more significant functional limitations to be served before those with less significant limitations. DVR evaluates each eligible applicant to determine the severity of his or her functional limitations. This Order of Selection may indefinitely delay services to some individuals. The Division will notify all eligible persons for whom services will be delayed.

DVR will look at how the following areas affect your ability to work:

- Getting from one place to another (Mobility)
- Talking and listening to others, reading and/or understanding printed materials (Communication)
- Taking care of yourself (Self Care)
- Making plans or carrying out your plans (Self Direction)
- Getting along with other people (Interpersonal Skills)
- Having the skills to work (Work Skills)
- Needing changes at work due to physical or mental restrictions to do a job (Work Tolerance)

How Long Will the Process Take?

A DVR counselor will tell you within 60 days after you apply if you are eligible for services. Sometimes we cannot get all the information we need within 60 days. If we need more than 60 days, your counselor will explain why. Your counselor will ask you if it is acceptable to take longer. If it is not acceptable, the counselor will have to decide your eligibility based on available information. If DVR cannot provide services, your counselor will tell you about other services and programs available to help you find a job.

What Services Can DVR Provide?

DVR has many services. You and your counselor will decide the appropriate services for you. Some of them are:

- Guidance and Counseling
- Finding and Keeping a Job
- Assistive Technology
- Training

Counseling and Guidance - A DVR Counselor's role is to provide information and share knowledge about the impact disabilities have on employment. You and your counselor will talk about your abilities, needs and interests. This is your first step in choosing a job or career. Together you will set up a plan to meet your work goals. This plan is called an Individualized Plan for Employment. You and your counselor will meet as often as necessary to progress with your plan. If your plans change or should you run into problems, let your counselor know.

Finding and Keeping a Job - Getting a job is the goal of your rehabilitation program. You and your counselor will form a partnership to help you meet your goal by providing you with information on how to get and keep a job. Your counselor may also contact you after you have started work to help you and your employer make any necessary adjustments and to be certain everything is going well before your case is closed. If you need more services to help you keep your job, you and your counselor will work together to arrange them.

Assistive Technology - Sometimes there are technological aids and devices that can make it easier to do a job or to continue with the training you need. Other times, changes in how a job is done may be helpful. Talk with your counselor about what could work for you.

Training - If you do not have the work skills you need, training may be needed. Your counselor will know about available programs. Training may be at a school or on the job. Your counselor will work with you to identify other services that are necessary in supporting your job/career goal.

What Will Services Cost?

There is no charge for evaluation, counseling, job development and placement or follow-up assistance. Other services are coordinated through public and private agencies in the community. You may be required to share the cost of some services depending on your financial situation. Your counselor will discuss any financial responsibilities with you before services begin.

Working Together/Informed Choice

How long your rehabilitation program will take depends on your disability, the job you are preparing for, and the type of services you need. You, the consumer, drive the rehabilitation process.

You will help make sure your rehabilitation is a success by:

- Keeping all appointments and arriving on time
- Being honest about your feelings and needs
- Asking questions if you don't understand something
- Carrying out your responsibilities as described in your Individualized Plan for Employment
- Letting your counselor know about any changes in your address, telephone number, or circumstances

Your counselor will help make sure your rehabilitation is a success by:

- Providing counseling as needed
- Sharing information so you can make informed choices
- Letting you know about your rights as a consumer

Confidentiality of Information

Access by the General Public Under the Wisconsin Open Records Law:

Personal information you give to us is confidential by law and is not available to the general public without your informed written consent.

Disclosure of Personal Information for Authorized Purposes:

Personally identifiable information is not routinely released without your prior informed written consent except for purposes provided by law or regulations (34 CFR 361.38, Code of Federal Regulations). These include coordinating benefits to implement services for you; to protect your health and safety or the public's; to answer lawful court orders; to respond to criminal investigations; to respond to approved audits under approved written agreements or to conduct approved research.

Concerns About Services?

There may be times when you do not understand or agree with DVR's decisions. At times like these the best thing to do is talk with your counselor about your concerns. You may also request an informal review with your counselor's supervisor, mediation with an impartial person, or you may request a formal hearing. Your counselor will give you information on filing an appeal.

Client Assistance Program

The Client Assistance Program (CAP) is not part of DVR and can answer concerns you may have about DVR policies and procedures and your rights and responsibilities as a consumer. CAP can also help you prepare and present an appeal request. If you are interested in CAP services contact:

Client Assistance Program (CAP)
2811 Agriculture Drive
P.O. Box 8911
Madison, WI 53708-8911
800-362-1290 (V/TTY) or
608-224-5071 (V/TTY)

Where to Apply

For more information or to apply for services, contact the DVR office nearest you. Most phone directories list DVR in the government section under "Wisconsin, State of; Vocational Rehabilitation, Division of". Although all of our offices have a TTY available, you may also choose to use the WI Telecommunication Relay Service (TRS) at 800-947-3529 (TTY) or 800-947-6644 (Voice).

For further information visit the DVR website at <http://dwd.wisconsin.gov/dvr> or call 800-442-3477.

Understanding Order of Selection

What is Order of Selection (OOS)?

A process that allows the Division of Vocational Rehabilitation (DVR) to focus resources on those with the most severe disabilities.

How are OOS categories established?

By federal law, categories are established by significance of disability, with the most severe being the most likely to be served.

The Vocational Rehabilitation Act defines "individual with a significant disability" as:

- having a severe physical or mental impairment which seriously limits one's ability to function in employment.
- requiring multiple vocational rehabilitation (VR) services over an extended period of time.

What are multiple services over an extended period of time?

This means two or more services for more than one year. These and many other terms relating to Order of Selection are defined in Ch. DWD 65.03, WI Administrative Code, Order of Selection for Vocational Rehabilitation Services.

What are the OOS categories?

Federal law requires states to determine their own categories. Wisconsin has three categories:

Category 1 (Most Significant)

Three or more severe functional limitations and requiring multiple services over an extended period of time.

Category 2 (Significant)

One or two severe limitations and requiring multiple services over an extended period of time.

Category 3 (Other Eligible Individual)

No severe limitation or does not require multiple services over an extended period of time.

Are some disabilities always significant?

Significance cannot be defined by disability. The Federal Rehabilitation Act lists disabilities which typically are determined to be significant. The term "significant", as used here, does not mean automatically or exclusively.

What is a functional limitation?

A functional limitation is a personal characteristic or disability that affects mobility, communication, self-care, self-direction, interpersonal skills or acceptance, work tolerance, or work skills.

Does a combination of non-severe limitations equate to one or more severe functional limitations?

No, under federal law, a combination of non-severe limitations does not equate to a severe limitation.

Will there be a review of functional limitations on a regular basis?

An individual may request a review of his or her assigned OOS category whenever new evidence is available by submitting the new evidence with a written request for a functional limitations review to the VR Supervisor of the office which provided the original notice. Also, DVR will contact each individual in a closed category at least annually to find out if his or her conditions have changed and if he or she is still interested in services.

Are certain disabilities affected more than others?

No, we cannot discriminate by type of disability. However, some disabilities may result in limitations which are more severe than others.

The law says that SSI/SSDI eligible consumers are automatically considered to be a person with at least a significant disability. Does this mean I will automatically be served?

No, but it does mean that you are more likely to be served since you have a significant disability.

What does it mean to create a waiting list?

It means that DVR will not serve all eligible consumers. DVR will create a waiting list of individuals who are eligible, but cannot be served due to lack of resources.

If I am on the waiting list, will I ever receive services from DVR?

When DVR determines it has adequate resources to serve more individuals on the waiting list, you may receive services depending on your category and date of application.

Can DVR serve more categories in one office than in another?

DVR is a statewide program. All offices will serve the same open categories.

What if I am receiving services under an approved plan for employment when DVR suspends my category?

You will continue to receive DVR services outlined in your plan for employment.

If I am receiving services from another program, such as Worker's Compensation, will I receive priority for DVR services?

No, you cannot receive priority based on the referral source (such as being referred from Worker's Compensation) or based on economic status.

For further information, contact the DVR office serving your county of residence. This is usually located in your nearest Job Center. Consult your phone book for the address and phone number or call 800-442-3477.

Additional information can also be found on the DVR web site at: <http://dwd.wisconsin.gov/dvr>. Our e-mail address is dwddvr@dwd.state.wi.us.

Getting a Head Start With DVR

When you start working with the Division of Vocational Rehabilitation (DVR), you will need to develop a plan for employment. This plan states what kind of job you want to get, and what services you will need at each step in the plan.

You and your DVR counselor will work together to identify your abilities, skills, and interests to develop your employment goal.

There are some things you can do to get ready for your first meeting with your DVR counselor that might help you get a job more quickly. Before your DVR counselor will be able to help you get a job, you will need to know what kind of work you want to do. Sometimes it takes a little work to figure this out.

What Kind of Work Do I Want To Do?

If you don't know what kind of work you want to do, there are some places to look for ideas.

- Look at yourself. What do you like to do? What are your interests and hobbies?
- What kind of work and/or volunteer experiences have you enjoyed?
- Look through the help wanted ads in the paper. Do any of these jobs look appealing?
- Visit the resource room of your local Wisconsin Job Center to gather information about the jobs and services that are available to you.
- Look through the Occupational Outlook Handbook. This is available at the Job Center, at the public library, and on the Internet (<http://stats.bls.gov/oco/ocoia.htm>).
- Talk to friends and relatives about the jobs they do.
- Look at jobs available on the JobNet at the Job Center or at their website (<http://dwd.wisconsin.gov>).

All of these are good ways to get ideas about jobs.

Once you get an idea, you should make sure it is really something you want to do. We suggest that you meet with someone who is doing that kind of job now and ask some questions:

- How did they get their job?
- Did they have to work a while doing something else before they could start doing this kind of work?
- What kind of education did they have to have?
- Do they think there will be many openings in this kind of work?
- How much does this job pay when you start?
- Does it have health insurance and other benefits?

Knowing what kind of work you want to do will help you get going more quickly when you start working with your DVR counselor.

To help you begin planning for your employment goal, it would be very helpful if you answer these questions before meeting with your counselor.

1. What are your strengths and abilities?
2. What education have you had?
3. What type of training have you had?
4. What work experience have you had?
5. What volunteer experience have you enjoyed?
6. What kinds of jobs are you interested in?
7. What kind of job **ARE YOU NOT** interested in?
8. What type of help do you need to go to work? (Think about things like health insurance, transportation, specialized equipment/devices, interpreters, childcare and flexible work hours.)

Individual Rights For Plan For Employment

1. Joint Approval of the Plan for Employment:

I understand that my plan for employment is jointly approved by my counselor and me based on my long term employment goal. My plan identifies my service needs and accommodations for my limitations. My counselor must discuss the plan with me and answer any questions.

2. Plan for Employment Content:

I understand that DVR can assist with the development of my plan. I have the right to choose the start dates, types of services, service providers, and methods of payment that will be a part of my plan to reach my employment goal. My plan identifies how my progress toward the employment goal will be measured. I understand that if I do not make satisfactory progress DVR support may be re-evaluated. Before substantial changes are made to my plan, I will have a chance to discuss them with my counselor, and I must agree before the plan is changed. I understand that I should be offered services in the least restrictive and most integrated setting. If this does not occur, I may exercise my right to have this explained.

3. Annual Review of Plan for Employment:

I understand that my counselor and I must review my plan for employment at least annually to make sure services are appropriate and I am making satisfactory progress in achieving my goal.

4. Changes to Your Employment Plan:

My plan may change if my situation changes. The kinds of things that may require my plan to be changed include: insufficient available funds, training is not available at the school or facility I prefer, other limited enrollment activities are not available, or I am not making expected progress.

5. Consumer Responsibility:

I understand that it is my responsibility to make my plan successful. I will attend scheduled appointments or call ahead if it is necessary to cancel an appointment. My counselor or teacher will follow the same practice. I will always notify DVR if my address or phone number changes. I know that if DVR is unable to contact me, they cannot help me.

6. Appeal Rights:

I understand that if I disagree with a counselor decision, I have the right to request a review of the decision. I may request an "informal review" with a VR Supervisor or a formal hearing conducted by an Impartial Hearing Officer, or I may request both.

7. How to Request an Informal Review, Including Mediation:

I understand that to request an informal review I should telephone or write a letter to the VR Supervisor of the DVR Office where I receive services.

8. How to Request a Hearing:

I understand that to request a formal hearing I must write a letter to the DVR Hearing Coordinator and that I can get that address by calling any DVR office or the Client Assistance Program. I understand that the Impartial Hearing Officer does not work for DVR. In my letter I must state the issue and what other decision, outcome or action I want made. I understand that if I cannot prepare my request by myself, the Client Assistance Program will help me. After my letter is received, I understand that DVR will send me information on what will happen at my hearing. An Impartial Hearing Officer will conduct the meeting within 60 days of the date my request is received, unless a time extension is requested for a good reason. The Impartial Hearing Officer will consider all information discussed at the hearing and will make a decision. I understand that DVR cannot suspend, reduce or stop my services until there is a final decision.

9. Client Assistance Program:

I have the right to use the services of the Client Assistance Program (CAP) which is not part of DVR. I understand that CAP can explain DVR policies and procedures to me and can inform me of my rights and responsibilities as a DVR consumer. I understand that CAP can assist me with problems regarding my plan for employment and services. CAP can also explain the appeal process. CAP can also help me present issues and assist me in presenting the issues throughout the entire appeal. I understand that I can call CAP toll-free at 800-362-1290 (Voice/TTY) or write to CAP at:

Client Assistance Program ~ 2811 Agriculture Drive
PO Box 8911 ~ Madison, WI 53708-8911

Consumer Informed Choice

You are a full and equal partner at every step in the rehabilitation process. You, the consumer, drive the rehabilitation process. To achieve the goal of self-supporting employment you must be prepared, with factual knowledge, to engage in rehabilitation services. It is your responsibility to make your rehabilitation plan successful. You can receive assistance from DVR staff in obtaining information about your employment options, available services, and options in service providers.

The following are some of the things we want you to know about informed choice:

You have the right to privacy (confidentiality). DVR will not share with others any information that you share with us, unless you request us to do so in writing. The only exception to this is in situations involving a court order or a program audit. If DVR staff is concerned that you are in danger of hurting yourself or someone else, the law states that we must alert the proper authorities.

You and your counselor have the responsibility of identifying options to meet goals. Ask questions when you don't understand something.

We value your opinion. You have the right to disagree with your counselor and are encouraged to work toward resolution with him/her. You have the right to appeal. You have the right to involve a friend or advocate to help you in resolving problems. Resolution options can include working with a different counselor.

You have the right to be provided with the reasons for decisions that are made, especially if a service is denied.

Stay in touch with DVR, we need to know about changes in how to contact you, changes in your disability, or other changes that may affect our work together.

Both you and DVR staff are expected to notify each other, as early as possible, if it is necessary to change an appointment date or time. It is important to attend appointments and participate in decision making.

You have a right to know how any benefits you may be receiving will be affected by your participation with DVR and eventual employment.

You have the right to receive assessments including a rehabilitation technology assessment. Assessments are provided as needed to determine eligibility, Order of Selection, and any other services you may need to become employed.

You have the right to choose an employment goal that is consistent with your interests, strengths, priorities, and disability needs.

You may be required to participate in a share of the costs for some services depending on your financial situation.

Confidentiality and DVR Records Information for Applicants and Consumers

The Wisconsin Division of Vocational Rehabilitation (DVR) must collect information about the individuals it works with. This information is gathered primarily to determine if the person is eligible for services, to determine placement on the order of selection waiting list for services, to identify an appropriate vocational objective, to identify which services are needed for the person to achieve the vocational objective, and to coordinate services with other agencies. Authority is granted to DVR to gather and keep this information under federal and state law: 34 CFR 361.38(a)(1)(iii) and s. 47.02(3m)(c)4.

You are not required by law to provide this information to DVR, but if you refuse and if the information is needed to accomplish the objectives in the above paragraph, DVR may not be able to provide you with services.

The information you provide to DVR is protected as confidential by several federal and state laws, including 34 CFR 361.38, s. 47.02 (7) (a), DWD 68, and s. 146. Furthermore, your meetings with a DVR counselor are considered as privileged communications under Wisconsin law s. 905.

There are times, however, when information is released without your consent. Routinely information is shared as needed with rehabilitation facilities and other professionals when it is needed to prepare for an evaluation or other services (DWD 68.02(5)(a), DWD 68.04(1).)

Information is also shared with other agencies when necessary to seek and obtain comparable benefits (services needed for your rehabilitation plan but provided by other sources than DVR) (DWD 68.02(5)(b), DWD 68.04(1).)

Information may also be released without your knowledge or consent in the following situations if they arise:

- **Criminal Investigation** - Public safety officials can be given access to records on a need to know basis without the prior knowledge or consent of the subject if the request is part of specific criminal investigations.
- **Child Support Investigation** - S. 46.25 (2M), WI Statutes, requires disclosure of personal information including employment information to the Child Support Program without prior notice or consent of the subject of a record.
- **Public Safety** - In most cases, personal information may be disclosed without the prior knowledge or consent of the subject of the record to protect an individual from harming themselves by their own actions, to protect public safety, or to protect specific individuals (34 CFR 361.38, Code of Federal Regulations and s. DWD 68, WI. Administrative Code).
- **To Report Child Abuse or Neglect** - In addition to the provisions for protection of public safety, s. 49.981, WI. Statutes require professional medical and human services workers, under certain conditions, to report suspected child abuse. Reporting is mandatory if a vocational rehabilitation counselor sees the abused or neglected child during the course of a counselor's professional duties.
- **To Report Elder Abuse or Neglect** - The Wisconsin Elder Abuse Law defines four categories of elder abuse, physical abuse, material abuse, neglect, or self-neglect (s 46.90, WI Statutes). While mandatory reporting is not required, if a professional counselor becomes aware of an abuse or neglect situation, a voluntary report may be made to the Wisconsin Elder Reporting System.
- **In Response to a Valid Court Order** - s. 146.82(2)4.
- **For Program Monitoring Purposes** - If DVR is audited, the auditors have access to confidential information. Personally identifying information will not appear, however, in any reports prepared (DWD 68.02(5)(c), DWD 68.04(1).)

- **For Program Administration** - Trainees, interns, volunteers, consultants, clerical staff, and supervisors have access to confidential information when their duties involve acting on behalf of the individual or the counselor.
- **To Coordinate the Provision of Services with Other DWD and Job Center Partners** - (DWD 68.02(5)(b), DWD 68.04(1).)
 - Division of Unemployment Insurance
 - Division of Workforce Solutions
 - W-2
 - Job Service
 - Veterans Services
 - Food Stamps
 - BadgerCare
 - Medical Assistance
 - Social Security Administration/Disability Determination Bureau

If you have any questions about confidentiality, you are encouraged to contact your vocational rehabilitation counselor.

Appeal Rights For People Seeking or Receiving Vocational Rehabilitation Services

Quick Facts About Your Appeal Rights

If you are unhappy with the services you are seeking or receiving from the Division of Vocational Rehabilitation (DVR):

You can request a review. Be sure to talk to your DVR counselor or a DVR supervisor as soon as a problem arises. If you wish to request a review, you may talk with them about how to request a review.

There are three options on how to handle the request for review:

- 1. Informally** -- with a DVR supervisor.
- 2. Mediation** -- with a neutral third party who will help you try to reach a compromise or agreement with DVR.
- 3. Formal Hearing** -- during which an Impartial Hearing Officer will hear the facts of the case and make a decision.

The Client Assistance Program (CAP) can assist you at any stage of the process.

It is up to you how you want to handle the request for review. You can do all three steps, two of the steps, or only one. Whatever you choose, the formal hearing is the final step, unless you wish to take your request for review to a court. DVR will pay for the costs related to mediation and the formal hearing.

If you do mediation, the mediator will help you try to reach an agreement with DVR. If you reach an agreement, the mediator will put the agreement in writing. If you go to a formal hearing, the Impartial Hearing Officer will make a written decision about your case within 30 days.

If you are not happy with the Impartial Hearing Officer's decision, you can take your appeal to court. You can present any information that helps your case during any stage of the request for review process. You can have anyone you want to represent you during the informal review, mediation, or the formal hearing. However, if you go to court, it would be best to have an attorney.

How To Request A Review

A written request for a review, signed by you, must say:

1. What decision you want reviewed (the issue).
2. What decision you want (the desired outcome).
3. The time limit for filing a hearing request shall be 12 months after the notice of a decision or action was made by DVR. Failure to file within the 12 month limit shall be cause for the hearing to be dismissed.

If you want assistance, call a DVR Office, CAP, or the DVR Hearing Coordinator.

Send the request for review to:

DVR Hearing Coordinator
P.O. Box 7852
Madison, WI 53707-7852

Who Can Help?

The Client Assistance Program (CAP) is not a part of DVR and can help you write your request for a review, if they are representing you, and explain how the review process works. CAP can also explain DVR policies and procedures and your rights and responsibilities as a consumer. You can request a brochure explaining CAP services in more detail.

What Is The Time Limit For A Hearing?

A hearing is held within 60 days after the date the DVR Hearing Coordinator receives your completed request for review.

What Will Happen If I Choose Mediation?

The DVR Hearing Coordinator will offer you and DVR a list of trained mediators. You and DVR will agree on who will act as mediator. You will also be assigned an Impartial Hearing Officer in case a mediator is not successful in achieving an agreement between you and DVR. The mediator will discuss your situation with you and DVR to see if an agreement can be reached. The choice of mediation will not delay your right to a hearing in the 60 days unless you and DVR agree to a delay.

Who Is A Mediator?

A mediator is someone who is trained in effective mediation techniques and knowledgeable in laws (including regulations) relating to the provision of DVR services.

What Will Happen After I Choose To Go To A Hearing?

The DVR Hearing Coordinator will send you a letter with information on two Impartial Hearing Officers. The letter will ask you to call or write with your choice within 7 days. You will also receive more information on what happens at a hearing. The selected Impartial Hearing Officer will call or write you.

Who Is An Impartial Hearing Officer?

An Impartial Hearing Officer (IHO) is a person who knows a lot about DVR and the DVR process. There is a contract with IHO's, and they do not work for DVR. This is to make sure they will make a fair decision.

Do I Need A Representative?

Choosing someone to represent you during the hearing or mediation process is up to you. Many times, people choose CAP, but it can be any responsible adult/advocate. You must tell who your representative is in writing to the Impartial Hearing Officer at least 5 days before your hearing. All information related to the hearing will be mailed to your representative.

What Is A Prehearing Interview?

The Impartial Hearing Officer will ask you and other people involved to participate in a prehearing interview before the hearing (a face-to-face meeting or a telephone conference call). You will be asked for a statement of the issue(s) to be heard at the hearing and any potential witnesses, exhibits, or motions. A mutual agreement may be reached. However, a prehearing interview will not delay your hearing, and you are not required to participate.

What Is A Formal Hearing?

A formal hearing is a review of a DVR decision by an Impartial Hearing Officer. The hearing is closed to the public, and the Impartial Hearing Officer will record the hearing on audio tape. Both yourself, as the appellant, and the division will be given equal time to make your testimony under oath.

What Will Happen At A Hearing?

1. **OPENING STATEMENTS:** The Impartial Hearing Officer will ask both parties if they wish to make a short statement outlining their concerns and desired outcomes. This is not part of the testimony.
2. **CASE PRESENTATIONS:** The Impartial Hearing Officer will ask the parties to each make a presentation of evidence to support their position and the desired outcome of the hearing. Witnesses can be called, and the parties may ask questions.
3. **REBUTTALS:** The Impartial Hearing Officer will ask each party for comments regarding the evidence or testimony presented by the other party.
4. **CLOSING ARGUMENTS:** The Impartial Hearing Officer will ask each party to present a short summary of reasons why DVR's decision should or should not be changed.
5. **ENDING THE HEARING:** The Impartial Hearing Officer will inform everyone that a decision will be mailed to them within 30 days*.

Is The Decision Final?

The Impartial Hearing Officer's decision is final unless you or DVR decides to take the request for review to court. If you go to court, it is best to have an attorney help you.

* "days" means calendar days unless it says "working days".

How Can I Get More Information?

To get more information, you may contact the VR Supervisor at your local DVR Office or you may contact:

DVR Hearing Coordinator
P.O. Box 7852
Madison, WI 53707-7852
800-442-3477 (Voice)
888-877-5939 (TTY)
608-266-1133 (FAX)

Client Assistance Program
2811 Agriculture Drive
P.O. Box 8911
Madison, WI 53708-8911
800-362-1290 (Voice)
608-224-5069 (FAX)

Wisconsin Client Assistance Program
2811 Agriculture Drive ~ P.O. Box 8911 ~ Madison WI 53708-8911
Consumer Line: 800-362-1290 ~ FAX 608-224-5069

Wisconsin's Client Assistance Program (CAP) was established by Congress to provide information about services for people with disabilities and to provide assistance when a person is having difficulty receiving services that are funded under the Rehabilitation Act.

Who Does CAP Serve?

People who are seeking services from the Division of Vocational Rehabilitation (DVR), American Indian Vocational Rehabilitation Projects, and/or Independent Living Centers (ILC) in Wisconsin. Under federal law, these programs must inform a person of CAP services whenever a service is denied, reduced, or changed; if the person is found not eligible; or if the case is closed against the person's wishes.

CAP Services

1. CAP staff can provide information about Vocational Rehabilitation Services and Independent Living Services in Wisconsin.
2. CAP staff can tell you about the types of services you can expect from a Vocational Rehabilitation Counselor, Rehabilitation Teacher, or other Vocational Service Providers.
3. CAP staff can assist you in determining if you are receiving appropriate services.
4. CAP staff can assist you in resolving differences with your VR Counselor, Rehabilitation Teacher, or Independent Living Center staff person.
5. If differences cannot be resolved, CAP staff can assist a person with an appeal or other legal remedy when appropriate services have been denied.

You should know ...

- There is no cost to you for CAP services. CAP provides assistance to individuals with all types of disabilities.
- CAP will cover the cost of interpreters or translators for meetings with CAP staff. CAP will provide its information in Braille, large print, or other alternative format upon request. We assist individuals anywhere in Wisconsin. If a meeting is needed, CAP staff will travel to your community.
- The information you tell us is confidential and will not be shared without your permission.
- If you want our assistance with an appeal, contact a CAP staff person BEFORE you file the appeal.
- The wording of an appeal can affect the outcome. If you do not contact CAP before you file an appeal, we may not be able to assist you.
- **CAP staff will not advocate for anything that is against your wishes. If we feel your complaint does not have merit under the law, we will explain why and advise you that we cannot help you. You have the right to appeal an agency's decision with or without CAP.**

Linda Vegoe ~ 608-224-5070 V/TTY
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CAP Director

Deb Henderson-Guenther ~ 608-224-5071 V/TTY
e-mail: Deb.Henderson-Guenther@datcp.state.wi.us
CAP Complaint Investigator

Understanding Ticket to Work

What is Ticket to Work?

- Your Ticket has no cash value.
- It is a document you will receive from the Social Security Administration (SSA) because you receive SSDI or SSI.
- If you want to go to work, you can use your Ticket to get vocational rehabilitation (employment) services from an Employment Network.
- SSA has contracted with Maximus, Inc. to manage the Ticket to Work program. You can call Maximus, Inc. for a list of employment networks in Wisconsin: 866-YOURTICKET (866-968-7842). TTY users can call 1-866-TDD-2-WORK (866-833-2967).
- The goal of Ticket to Work is to help you go to work so you will not need SSI or SSDI.

Who Will Get a Ticket?

- People not expected to medically recover, according to SSA guidelines.
- People who receive disability cash benefits from Social Security.
- People 18 years of age who have been evaluated under the adult disability guidelines.

Do I Have to Use This Ticket?

According to SSA, the program is voluntary. You will not risk losing your benefits if you don't participate.

How Long Will My Ticket Last?

If you decide not to use your ticket now but change your mind later, you can still participate, as long as you receive cash benefits from SSA. To request another ticket or for more information contact Maximus, Inc.

What if I Decide to Use My Ticket but Something Happens and I Need to Take a Break?

If you need to stop working you can put your ticket on hold and return to work when you are ready. You must contact Maximus, Inc. to put your ticket on hold.

Benefits Planning, Assistance and Outreach for SSI/SSDI Beneficiaries

If you want to return to work but are afraid of what will happen to your state and federal benefits, you should contact a benefits specialist at one of the three agencies (listed below) available to you as a Ticket holder. A trained Benefits Specialist will work with you to determine what will happen if you return to work. They will also give you information about various SSA work incentives. With this information, you can make an informed choice about going to work. There is no cost to you for this service.

Protection and Advocacy for SSI/SSDI Beneficiaries

If you decide to return to work, you may need advocacy or legal assistance with return to work issues. Disability Rights Wisconsin can assist you with these issues. Some of these might be: planning, assistance accessing needed services, supports, and accommodations. This project is staffed by a licensed attorney and advocates who are able to provide legal and advocacy assistance with return to work issues. There is no cost for these services.

Disability Rights Wisconsin

16 North Carroll Street, Suite 400
Madison, WI 53703
608-267-0214 (Voice/TTY)
800-928-8778 (Voice/TTY)
608-267-0368 (FAX)

6737 West Washington Street, Suite 3230
Milwaukee, WI 53214
414-773-4646 (Voice/TTY)
800-708-3034 (Voice/TTY)
414-773-4647 (FAX)

Employment Services

You can use your ticket at an Employment Network that is approved by Maximus, Inc. Contact Maximus, Inc. at 866-968-7842 for a list of Employment Networks in Wisconsin.

The Wisconsin Division of Vocational Rehabilitation (DVR) is one of the Employment Networks you can choose.

DVR is a state government agency that helps people with disabilities find and keep a job.

If you are already a DVR consumer:

- Contact your counselor for information about assigning your Ticket to DVR. Ticket to Work will not result in any changes to the services you receive.

If you are not a DVR consumer:

- Contact DVR at 800-442-3477 (Voice) or 888-877-5939 (TTY) for more information. As an SSI/SSDI recipient, you are automatically eligible for DVR services if you want to work.

The Client Assistance Program (CAP) can help DVR consumers who have questions or complaints about the services they receive from DVR.

Important Phone Numbers

Maximus, Inc.

866-968-7842 (Voice)

866-833-2967 (TTY)

Client Assistance Program

800-362-1290 (Voice/TTY)

Division of Vocational Rehabilitation

800-442-3477 (Voice)

888-877-5939 (TTY)

Benefits Planning

- Independence First
Milwaukee
414-291-7520 (Voice/TTY)
877-463-3778
- Employment Resources, Inc.
Madison
608-246-3444 (Voice/TTY)
877-826-1752
- Riverfront, Inc.
La Crosse
608-784-9450 (Voice/TTY)
800-949-7380



Division of Vocational Rehabilitation • P.O. Box 7852 • Madison, WI 53707-7852
800-442-3477 • 888-877-5939 (TTY) • 608-266-1133 (FAX)
dwddvr@dwd.state.wi.us • <http://dwd.wisconsin.gov/dvr>
